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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/750,154      | 12/29/2000  | Scott M. Frank       | BS00-086            | 7629             |

38823 7590 08/17/2007  
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/  
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100 GALLERIA PARKWAY  
SUITE 1750  
ATLANTA, GA 30339

EXAMINER

OUELLETTE, JONATHAN P

|          |              |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

3629

|           |               |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

08/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

09/750,154

Applicant(s)

FRANK ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

All participants (applicant, applicant's representative, PTO personnel):

(1) Jonathan Ouellette.

(3) \_\_\_\_\_

(2) Jefferey Kuester.

(4) \_\_\_\_\_

Date of Interview: 06 August 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 35 and 41.

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Kuester explained to Examiner ouellette that the reasons for allowance issued on 5/8/07 for independent claims 35 and 41 was incorrect, possibly due to clerical error. Examiner Ouellette agreed with Mr. Kuester's evaluation and agreed to issue a new revised reasons for allowance through an official communication, therefor, cancelling/invalidating the reasons for allowance issued 5/8/2007.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

JONATHAN OUELLETTE  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 09750154                        | 12/29/2000  | FRANK ET AL.                                      | BS00-086            |

**EXAMINER**

Jonathan Ouellette

| ART UNIT | PAPER |
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3629

20070813

DATE MAILED:

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**Commissioner for Patents**

Due to a previous clerical error made by the Examiner, the following is meant to replace the reasons for allowance issued by the examiner on 5/8/2007 for Application 09/750154.

**Allowable Subject Matter**

1. Claims 2-4, 10-16, and 35-54 are allowed.
2. The following is an examiner's statement of reasons for allowance:
3. As per independent Claims 11, 35, 41, and 48, the prior art does not teach or suggest a method (computer-readable medium, programmed apparatus) for completing a marketing opportunity assessment on only the intellectual property rights (not an actual product or service), as claimed by the independent claims.
4. Hunter et al. (US 6,298,327) Hunter discloses a method (computer readable medium) for determining whether to obtain licensing rights for an intellectual property asset, the method comprising: receiving intellectual property asset protection data, wherein the intellectual property asset protection data includes protection data corresponding to a plurality of intellectual property assets (inventive disclosure), wherein each intellectual property asset is defined and maintained as an asset by the existence of legally-enforceable intellectual property protection rights pertaining to that intellectual property asset (C8 L1-11, inventive disclosure, inventive identity, established date of invention or conception); storing the intellectual property asset protection data in an intellectual property asset protection database including a plurality of intellectual property asset protection data records (Fig.2), wherein each intellectual property asset protection data records of the plurality of intellectual property asset protection data records in the intellectual property asset protection database corresponds to at least one intellectual property asset; providing intellectual property asset protection data from at least one intellectual property asset protection data record in the intellectual property marketing opportunity system (C4 L21-32, C8 L11-18, Marketability analysis).
5. Hunter fails to expressly disclose completing a marketing opportunity assessment on only the intellectual property rights (not an actual product or service), as claimed by the independent claims.
6. The remaining dependent Claims 2-4, 10, 12-16, 36-40, 42-47, and 49-54 are considered allowable, as they are dependent and based off of an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**JONATHAN OUELLETTE  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3800**